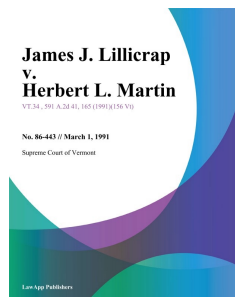


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JAMES J LILICRAP V HERBERT L MARTIN EBOOKS 2019



Author: Supreme Court of Vermont

Realese Date: Expected @@expectedReleaseDate@@

The plaintiff in this medical malpractice case appeals the action of the trial court granting motions for a directed verdict on behalf of all of the defendants. His appeal requires us to determine the applicability of the statute of limitations, 12u003cbr /u003e V.S.A. § 521, to the facts of this case as well as the constitutionality of the repose provision of the same statuteu003cbr /u003e when applied to those facts. We reverse. I. The Facts [1] In reviewing the trial court's action in directing a verdict for the defendants, we must view the evidenceu003cbr /u003e in the light most favorable to the plaintiff, excluding the effect of modifying evidence. Utzler v. Medical Center Hosp. ofu003cbr /u003e Vermont, 149 Vt. 126, 128, 540 A.2d 652, 654 (1987). So viewed, the record reveals the following course of events.

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